

**HOUSE MINORITY REPORT
AMENDMENTS TO
HOUSE BILL 4109**

By Nonconcurring Members of COMMITTEE ON HEALTH CARE

February 18

1 On page 1 of the printed bill, line 4, delete “11” and insert “6”.

2 After line 11, insert:

3 “(3) By rule, the State Department of Agriculture:

4 “(a) Shall establish exceptions to the prohibition in subsection (2) of this section for aerial ap-
5 plication of a pesticide product containing chlorpyrifos during a quarantine or to stop the spread
6 of an invasive species.

7 “(b) May establish exceptions to the prohibition in subsection (2) of this section for aerial ap-
8 plication of a pesticide product containing chlorpyrifos to agricultural products intended for export
9 for which there is no alternative pesticide.”.

10 Delete lines 16 through 18 and insert:

11 **“SECTION 5. (1) As used in this section:**

12 **“(a) ‘Agricultural emergency’ has the meaning given that term in 40 C.F.R. 170.112 (d)(1).**

13 **“(b) ‘Restricted-entry interval’ means the time after the end of a pesticide application
14 during which presence in the area in which the pesticide was applied is restricted.**

15 **“(2) The restricted-entry interval for chlorpyrifos is eight days.**

16 **“(3) During the restricted-entry interval for chlorpyrifos, a person that employs a worker
17 shall take steps to ensure that the worker does not enter or remain in an area in which
18 chlorpyrifos has been applied, except that the employer may allow the worker to enter or
19 remain in the area during the restricted-area interval:**

20 **“(a) For activities not involving contact with chlorpyrifos, if the employer ensures com-
21 pliance with the requirements established by 40 C.F.R. 170.112 (b);**

22 **“(b) For short-term activities, if the employer ensures compliance with the requirements
23 established by 40 C.F.R. 170.112 (c); or**

24 **“(c) During an agricultural emergency, if the employer ensures compliance with the re-
25 quirements established by 40 C.F.R. 170.112 (c)(3) through (c)(9) and 40 C.F.R. 170.112
26 (d)(2).”.**

27 Delete lines 22 and 23.

28 On page 2, delete lines 1 through 8.

29 In line 9, delete “12” and insert “7”.

30 /s/ Christine Drazan
31 Representative

32 /s/ Cedric Hayden
33 Representative